

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STUDENT DOE #1 and
STUDENT DOE #2,

Plaintiffs,

v.

**TEMPORARY RESTRAINING
ORDER**

6:25-CV-6210 EAW

KRISTI NOEM, in her official capacity as Secretary,
U.S. Department of Homeland Security, and
TODD LYONS, in his official capacity as Acting
Director, Immigration & Customs Enforcement,

Defendants.

Plaintiffs Student Doe #1 and Student Doe #2 (“Plaintiffs”) are full-time graduate students at the Rochester Institute of Technology (“RIT”). On April 8, 2025, Plaintiffs were notified by RIT’s Director of International Student Services that their SEVIS registrations—which gives them student status in the United States—were terminated, because they were an “Individual identified in criminal records check and/or has had their VISA revoked.” (Dkt. 1 at ¶ 3). Plaintiffs allege that neither they nor RIT received notice from the Department of Homeland Security or the Department of State regarding the termination of their status. (*Id.*). On April 17, 2025, Plaintiffs filed a complaint and a motion for a temporary restraining order (“TRO”) against defendants Kristi Noem and

Todd Lyons (“Defendants”). (Dkt. 1; Dkt. 7). Plaintiffs’ motion papers stated that they attached a proposed TRO (*see* Dkt. 7 at 2), but no proposed order was actually attached.

That evening, after reviewing Plaintiffs’ submissions, the Court issued a Text Order directing Plaintiffs to immediately submit a proposed TRO to the undersigned at wolford@nywd.uscourts.gov. (Dkt. 11). Plaintiffs did not submit a proposed order. Instead, on April 18, 2025, Plaintiffs filed a motion to withdraw the motion for a TRO, so that they could “ensure compliance with the local rules and correct an anonymization issue with the memo of law.” (Dkt. 12). The Court granted Plaintiffs’ motion to withdraw the motion for a TRO. (Dkt. 13). Later that day, Plaintiffs filed their renewed motion for a TRO and a memorandum of law. (Dkt. 16; Dkt. 17). The memorandum of law referenced exhibits that were not attached to it or to the complaint. Thereafter, Plaintiffs filed a corrected memorandum of law, which attached the exhibits. (*See* Dkt. 18). Finally, approximately 24 hours after the Court originally directed Plaintiffs to “immediately submit” a proposed TRO, Plaintiffs filed, under separate cover, a proposed TRO (1) enjoining Defendants from terminating Plaintiffs’ statuses, and (2) enjoining Defendants from initiating removal proceedings and otherwise removing Plaintiffs. (Dkt. 19).

The Court has reviewed Plaintiffs’ submissions—which was made more difficult than necessary due to the delayed and piecemeal filings—and grants the motion for a TRO in part. Specifically, it is hereby ordered that Defendants are restrained from removing

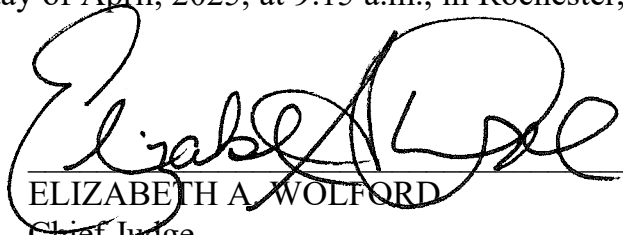
Plaintiffs from the United States and the jurisdiction of this Court, until further order of the Court.

It is further ordered that the TRO granted herein shall expire on May 5, 2025, at 9:15 a.m., unless within such time, the TRO, for good cause shown, is extended for an additional period not to exceed fourteen (14) calendar days, or as otherwise provided by Federal Rule of Civil Procedure 65.

It is further ordered that a status conference is scheduled for Wednesday, April 23, 2025, at 11:00 a.m., before the undersigned, at the United States Courthouse, 100 State Street, Rochester, New York. This appearance will be in person, but if any counsel who has appeared for the parties is located outside the Western District of New York, he or she may request permission to appear by telephone by emailing a request to the undersigned's Chambers at wolford@nywd.uscourt.gov, on or before 3:00 p.m. on Tuesday, April 22, 2025.

It is further ordered that Plaintiffs are directed to serve a copy of this TRO on the United States Attorney for the Western District of New York, 100 State Street, Rochester, New York 14614, by hand delivery and electronic mail at USANYW-Immigration-Habeas@usdoj.gov and at Michael.DiGiacomo@usdoj.gov, and to file a certificate of service confirming the same, on or before 5:00 p.m. on Monday, April 21, 2025.

IT IS SO ORDERED, this 21st day of April, 2025, at 9:15 a.m., in Rochester, New York.



ELIZABETH A. WOLFORD
Chief Judge
United States District Court